

Senate Bill 98

By: Senators Hudgens of the 47th, Cagle of the 49th, Johnson of the 1st, Kemp of the 46th and Douglas of the 17th

**AS PASSED**

**AN ACT**

To amend Code Section 20-2-55 of the Official Code of Georgia Annotated, relating to per diem and expenses of local boards of education, so as to authorize the expenditure of funds for life, disability, and liability insurance, retirement and pension coverage, social security coverage, and similar benefits for members of such local boards of education; to provide for related matters; to repeal conflicting laws; and for other purposes.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

**SECTION 1.**

Code Section 20-2-55 of the Official Code of Georgia Annotated, relating to per diem and expenses of local boards of education, is amended by striking in its entirety subsection (b) and inserting in lieu thereof the following:

(b)(1) A local board of education is authorized to provide and expend local funds for the provision of group medical, dental, life, disability, and liability insurance and retirement or pension coverage, social security and employment security coverage, and similar or related employment benefits for its members who elect to participate. Such insurance and benefits may be provided through a group policy or plan secured by the local school district, a group policy or plan secured by several local school districts, or a policy or plan secured by an organization of local school boards. Medical and dental insurance may also be offered in accordance with Code Section 45-18-5 providing for the inclusion of members of the local board of education and their spouses and dependents within any health insurance plan or plans established under Article 1 of Chapter 18 of Title 45. It shall be the duty of the board to make the employer contributions required for the operation of such plan or plans. Except as provided in paragraph (3) of this subsection, a board providing such insurance shall pay no greater percentage of the cost of that insurance than the percentage of the cost paid as an employer contribution by the state for the health insurance plan for state employees pursuant to Article 1 of Chapter

18 of Title 45. The remainder of such insurance costs, and all the costs of any coverage for family members, shall be paid as an employee contribution by the board member. It shall be the duty of the board to deduct from the salary or other remuneration of qualified members or otherwise collect such payment from the qualified members or dependents.

(2) Taxes levied by or on behalf of a local board of education may be expended for employer contributions, but not employee contributions, required for insurance coverage or other benefits for members of that board as provided in paragraph (1) of this subsection. Taxes levied by or on behalf of a local board of education also may be expended for contributions authorized in paragraph (3) of this subsection. Such expenditures on behalf of any member may continue only as long as that member continues in office and makes any employee contribution required for such coverage. That member, and eligible dependents thereof, shall be ineligible for coverage pursuant to the provisions of paragraph (1) of this subsection upon such person's ceasing to serve as a member of a local board of education. Such expenditures on behalf of any member in accordance with paragraph (3) of this subsection may continue only as long as that member continues in office and makes any contribution which is not the result of the board of education's decision to allow its members to participate in the health insurance plan. Expenditures authorized by this Code section shall be in addition to, and not in lieu of, any salary, expense, per diem, or other compensation payable to that member of a local board of education.

(3) If a board member is already a member of a health insurance plan established by Article 1 of Chapter 18 of Title 45 as a retired employee and the result of the board of education's decision to allow its members to participate is to establish dual eligibility for a member and thus to increase the cost to such member of the state insurance plan, then the local board may pay any additional cost imposed on such member as a result of the local board's decision to allow its members to participate in coverage under paragraph (1) of this subsection.

## **SECTION 2.**

All laws and parts of laws in conflict with this Act are repealed.